IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 10TH OCTOBER 2007 / 18TH ASWINA 1929

Bail Appl..No. 6153 of 2007

(CRIME NO. 263/07 OF NOORANADU POLICE STATION)

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PETITIONER/A2:

VASANTHI, AGED 33,
W/O.SUGATHAN,
ARUN BHAVAN, KUTHIRAKUTTUM THADAM,
PATTUR MURI, NOORANADU VILLAGE.

BY ADV. SRI.C.P.UDAYABHANU.

RESPONDENT/COMPLAINANT:

STATE OF KERALA , REPRESENTED
BY THE C.I.OF POLICE,
NOORANADU POLICE STATION (CRIME 263/07)
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERANAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/10/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.6153 of 2007

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Dated this the 10th day of October, 2007

ORDER

Application for regular bail. Petitioner, a woman, faces allegations in a crime, which is now being investigated, inter alia, under Section 302 read with 34 IPC. Altogether there are three accused persons. The petitioner is the 2nd accused. Accused No.1 is her husband and accused No.3 is her brother. Both accused 1 and 3 have been granted regular bail as per orders dated 17.09.07 and 19.09.07 in B.A.Nos.5386/07 and 5588/07. The petitioner has subsequently been arrested on 28.09.07. She continues in custody from that date. The alleged incident took place on 28.07.07. The victim succumbed to such injury suffered by him allegedly at the hands of the 1st accused on 9.8.07. Investigation is still in progress.

2. There is no allegation that the petitioner had wielded any weapon. The allegation is that she was present along with her husband and had allegedly shared the common intention to attack the victim. She is further alleged to have pelted stones and attacked the deceased with hands.

3. I have adverted the facts in detail in the earlier orders. This order must be read in continuation of the said orders. I am hence

not adverting to facts in greater detail. The petitioner also continues in custody from 28.9.07.

4. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied that regular bail can be granted to the petitioner subject to identical conditions as were imposed on the co- accused her brother.

5. In the result, this petition is allowed. The petitioner shall be released on bail on the following terms and conditions:

i) The petitioner shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

ii) The petitioner shall not, except for the purpose of complying with condition No.iii below, enter the Sessions Division of Alleppey until further orders.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays until further orders.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE